

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

<b>INDEMNITY INSURANCE COMPANY :</b>	:	
<b>OF NORTH AMERICA a/s/o/ :</b>	:	<b>CIVIL ACTION</b>
<b>SPRINGFIELD TOWNSHIP SCHOOL :</b>	:	
<b>DISTRICT, :</b>	:	
<b>Plaintiff, :</b>	:	
	:	
<b>v. :</b>	:	
	:	
<b>GROSS-GIVEN MANUFACTURING :</b>	:	
<b>COMPANY and RIH, INC. f/k/a ROWE :</b>	:	
<b>INTERNATIONAL, INC. :</b>	:	<b>No. 08-3</b>
<b>Defendants. :</b>	:	

**ORDER**

**AND NOW**, this 16<sup>th</sup> day of **September, 2009**, upon consideration of Defendant's motion for summary judgment, Plaintiff's cross-motion for summary judgment, and the responses thereto, and for the reasons contained in the Court's Memorandum dated **September 16, 2009**, it is hereby **ORDERED** that:

1. Defendant's Motion for Summary Judgment (Document No. 21) is **GRANTED** in part and **DENIED** in part as follows:
  - a. The motion is **DENIED** as to the strict liability and product warranty claims.
  - b. The motion is **GRANTED** as to the negligence claim.
2. Plaintiff's Motion for Partial Summary Judgment on the issue of successor liability (Document No. 26) is **GRANTED** in part and **DENIED** in part as follows:
  - a. The motion is **GRANTED** as to the strict liability and product warranty claims.

- b. The motion is **DENIED** as to the negligence claim.

**BY THE COURT:**

A handwritten signature in blue ink, appearing to read "Berle M. Schiller", followed by a long horizontal flourish.

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**Berle M. Schiller, J.**